

Summary of Five Public Workshops on Tentative Order 2001-01 Draft San Diego Municipal Storm Water Permit

Summary

To facilitate the expression of the Copermittee's and public's concerns regarding Tentative Order 2001-01 and to improve understanding of its requirements, the SDRWQCB conducted a total of five public workshops during the past year. The first two public workshops dealt exclusively with Standard Urban Storm Water Mitigation Plans (SUSMPs) the Tentative Order's controversial requirements for new development and significant redevelopment to employ post-construction best management practices. Both SUSMP workshops were conducted prior to the release of Tentative Order 2001-01. Following the release of the Tentative Order, and at Chairman Baglin's direction, a series of three additional public workshops were conducted. Each of these three workshops dealt with the Tentative Order 2001-01 as a whole (i.e., covered all permit requirements).

An account of the five workshops is given in Table 1. In total, over 576 people attended the five workshops and submitted more than 171 questions and comments to staff regarding the Tentative Order. Staff responded orally to all of the comments received at the series of three workshops on the entire Tentative Order. Staff has also proposed changes to the language of the Tentative Order based upon comments received at the October 19 and November 2 workshops (first two workshops on the entire Tentative Order). These proposed changes are presented in a document entitled "Proposed Changes" (Attachment 9). Additionally, staff has responded in writing to approximately half of the comments received at the second SUMP workshop.

Most importantly, staff plans to prepare a comprehensive "Responses to Comments" document that will include staff's responses to all comments received (from all public workshops, during the written comment period, and orally at the December 13, 2000 Public Hearing). This comprehensive "Responses to Comments" document will be made available prior to the February 14, 2001 meeting. In addition staff will prepare a "revised final draft" of the Tentative Order in advance of the February 14, 2001 meeting. The language in this revised final draft will reflect staff's responses to all comments received on the Tentative Order. It will be this "revised final draft" of Tentative Order 2001-01 that the SDRWQCB will consider adopting on February 14, 2001.

Table 1:

Summary of 5 Public Workshops on Tentative Order 2001-01 (San Diego Municipal Storm Water Permit)						
	SUMP Public Workshop 1	SUSMP Public Workshop 2	Tentative Order 2001-01 Public Workshop 1	Tentative Order 2001-01 Public Workshop 2	Tentative Order 2001-01 Public Workshop 3	Totals
Date	8-Mar-00	13-Apr-00	19-Oct-00	2-Nov-00	16-Nov-00	
Public Attendance	>188	94	100	97	97	576
SDRWQCB Staff Participation	8	4	13	7	10	42*
Votes on priority issues	NA	NA	100	NA	NA	100
Questions/ Comments	NA	60	41	57	13	171
Responses to Questions/ Comments	NA	27**	41	53	17	111
Workshop duration (hrs)	2.5	5.5	2	3	2	15
Handouts	0	1	6	2	3	13
* Total staff participation at workshops.						
** 27 questions/comments have been responded to in writing by staff. The remaining comments/questions were considered and incorporated into the draft SUSMP language currently contained in Tentative Order 2001-01.						

SUSMPs / Numeric Sizing Criteria Workshops

During the March 8, 2000 SDRWQCB meeting, a public workshop was conducted on the subject of Standard Urban Storm Water Mitigation Plans (SUSMPs) and their requirement that post-construction BMPs be sized to meet numeric sizing criteria. Over 188 people attended representing municipalities, stakeholders, developers and consulting firms. As a result of the comments and discussion at this public workshop, the Board directed staff to include SUSMPs and numeric sizing criteria in the Tentative Order and to conduct two additional public workshops on SUSMPs and numeric sizing criteria. Accordingly, the SDRWQCB staff conducted the first additional SUSMP workshop on April 13, 2000. Over 94 people participated in the workshop and provided staff with an important discussion of stakeholder concerns regarding the SUSMP requirements and numeric sizing criteria. Staff compiled the 60 questions and comments received at this workshop and responded to 27 of them in a document entitled, Draft Response to Comments Received at Numeric Sizing Criteria Public Workshop II Held April 13, 2000. This document is available on the SDRWQCB web site. The second additional SUSMP workshop is still pending. All of the questions and comments received at the SUSMP workshops were considered in the drafting of the SUSMP language currently contained in Tentative Order 2001-

01. In addition, all of the questions and comments from the SUSMP workshops will be addressed by staff in the comprehensive “Responses to Comments” document and reflected in the “final revised draft” of Tentative Order 2001-01 that the SDRWQCB will consider on February 14, 2001.

Tentative Order 2001-01 Public Workshops

Concurrent with the October 11, 2000 SDRWQCB meeting, Tentative Order 2001-01 was released and an adoption schedule for the Tentative Order was proposed. A series of three public workshops on the Tentative Order were scheduled at Chairman Baglin’s direction. The purpose of these workshops was to inform the public about the Tentative Order requirements, identify high priority issues of concern, and resolve them where possible. In total, over 294 people attended and directed 111 questions and comments to staff on Tentative Order 2001-01. Six SDRWQCB staff members participated in all three of the public workshops. An additional 10 staff members attended one or two of the workshops. Executive Officer John Robertus spoke at the first and third workshops and Assistant Executive Officer Art Coe moderated the question and answer sessions at all three workshops.

During the first workshop on October 19, 2000, staff described the requirements of the entire Tentative Order and requested that the participants vote on their highest “priority issues” (by permit section) for discussion at the second workshop. The second workshop on November 2, 2000 was dedicated to the “priority issues” that the Workshop I participants had voted most important. Staff listened and responded to questions, comments, and issues of concern raised by the interested parties on the priority issues (by permit section) as well as on all of the remaining sections of the Tentative Order. The third workshop consisted of staff responses to questions and comments not addressed during the first two workshops, a summary of the results of the workshops, a description of the “Proposed Changes” to the Order, and an open question and comment session. The handouts for each workshop are attached. A breakdown of the voting results on “priority issues” and questions and comments addressed during the workshops is given in Table 2.

Table 2:

Summary of Questions and Comments Received and Addressed at Workshops I - III by Permit Section					
Discussion Category	Permit Section Numbers	Permit Section Titles	Permit Page Numbers	No. of Priority Votes	No. of Questions/ Comments
7	F.1	Land-Use Planning for New Development & Redevelopment (JURMP)	13-21	15	27
8	F.2	Construction Component (JURMP)	21-24	7	9
15	K,L,M	Watershed URMP	43-44	9	3
22	Attachment E	Dry Weather Analytical Monitoring Specifications - Urban Runoff	E-1 to E-4	11	4
All Others	All Others	All Other Sections	1-50 & A- 1 to E-4	58	68
Totals				100	111

Questions and comments were written down by the participants during the workshop to facilitate their documentation and the conduct of the workshop. Staff verbally addressed all of the 111 questions and comments made at the workshops. Specifically, in response to questions and comments requesting clarification of Tentative Order language (39% of the questions and comments), staff answered by providing clarification, definition, or explanation of the language in question. In answer to specific questions on infiltration and detention (6% of the questions and comments received), staff provided discussion on infiltration restrictions and detention requirements of the Tentative Order. With respect to the questions on how municipalities will implement specific provisions of the Tentative Order (12% of the questions and comments received), staff provided discussion, explanation, and examples of how those provisions and requirements should be implemented. Participants also received answers to questions on the monitoring requirements (13% of the questions and comments received), regional storm water treatment (2% of the questions and comments received), Watershed Urban Runoff Management Programs (2% of the questions and comments received) extension of the comment period (3% of the questions and comments received), relationship between municipal responsibilities for construction and industrial sites and the statewide Construction and Industrial Permits (5% of the questions and comments received), issues, agencies, and Tribes not directly related to adoption of the Order (6% of the questions and comments received), and other specific subjects in various parts of the Order (16% of the questions and comments received). The percentages above represent rounded off estimates.